



Attorney's Docket No.: 56446-20018.02/ -029008 /D1370-6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Jay M. Short et al. Art Unit : 1652
Serial No. : 09/777,566 Examiner : Delia M. Ramirez, Ph.D.
Filed : February 5, 2001
Title : PHYTASE EXPRESSION SYSTEMS AND METHODS OF MAKING AND
USING THEM (amended)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE AND AMENDMENT

Responsive to the final Office Action mailed February 17, 2004, Applicants respectfully request entry of the amendments and consideration of the remarks set forth herein. A response is initially due May 17, 2004. Accordingly, this Response is timely filed. This response is accompanied by a request for continued examination (RCE) under 37 C.F.R. §1.114. Thus, the finality of the outstanding final office action will be withdrawn and Applicants are entitled to have this first submission for this RCE entered and considered on the merits.

Amendment to the claims are reflected in the listing of claims which begin on page 2 of this paper.

Remarks begin on page 14 of this paper.

The following documents are also enclosed herewith:

- Request for continued examination transmittal under 37 C.F.R. §1.114;
- Fee Transmittal;
- Exhibit A: USPTO written description guidelines, Example 14;
- Rule 132 declaration by Dr. Jay Short, and, Dr. Short's resume;
- Postcard.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Mail Stop RCE, P.O. Box 1450, Alexandria, VA 22313-1450.

May 17, 2004

Date of Deposit

Signature

Jeanne Amour

Typed or Printed Name of Person Signing Certificate

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03 FC:2202 108.00 DA